

22 JUN 2010



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

WENDEROTH, LIND & PONACK, L.L.P.  
1030 15th Street, N.W.,  
Suite 400 East  
Washington DC 20005-1503

In re Application of	:	DECISION
YAZAWA et al.	:	
Application No.: 10/593,249	:	
PCT No.: PCT/JP2005/004369	:	
Int. Filing Date: 11 March 2005	:	
Priority Date: 18 March 2004	:	
Attorney Docket No.: 2006_1564A	:	
For: NOVEL PHOTOCATALYST AND	:	
METHOD FOR PRODUCING SAME	:	

This decision is in response to applicants' "REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE," which has properly been treated as a petition under 37 CFR 1.181, filed in the United States Patent and Trademark Office (USPTO) on 01 February 2007.

**BACKGROUND**

On 11 March 2005, applicant filed international application PCT/JP2005/004369 which designated the US and claimed a priority date of 18 March 2004. A copy of the international application was communicated to the USPTO from the International Bureau on 29 September 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 20 September 2006 (18 September 2006 being a Saturday).

On 15 September 2006, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the basic national fee, an express request to begin national examination procedures under 35 U.S.C. 371(f), a translation of the international application as filed, and a declaration of inventors

On 16 November 2006, the United States Designated/Elected Office (DO/EO/US) mailed a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495 (Form PCT/DO/EO/903) according to the application a 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date of 15 September 2006 and a 35 U.S.C. 371 date of 16 October 2006.

On 01 February 2007, applicants filed the instant petition under 37 CFR 1.181.

### DISCUSSION

The petition requests that the 35 U.S.C. 371 date be changed from 16 October 2006 to 15 September 2006.

The NOTICE OF ACCEPTANCE OF APPLICATION mailed 16 November 2006 contained the incorrect 35 U.S.C. 371 date. Thus, the NOTICE OF ACCEPTANCE is hereby VACATED.

### CONCLUSION

The petition under 37 CFR 1.181 is GRANTED for the reasons set forth above.

The NOTICE OF ACCEPTANCE mailed 16 November 2006 is VACATED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for processing in accordance with this decision, that is for (1) mailing of a corrected NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495 (Form PCT/DO/EO/903) indicating both the 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) and the 35 U.S.C. 371 dates as 15 September 2006 and (2) mailing of a corrected Filing Receipt.

/Daniel Stemmer/

Daniel Stemmer  
Legal Examiner  
PCT Legal Affairs  
Office of Patent Cooperation Treaty  
Legal Administration  
Telephone: (571) 272-3301